



9111-14

## **DEPARTMENT OF HOMELAND SECURITY**

### **U.S. CUSTOMS AND BORDER PROTECTION**

#### **AGENCY INFORMATION COLLECTION ACTIVITIES:**

##### **NAFTA Regulations and Certificate of Origin**

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the NAFTA Regulations and Certificate of Origin. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13).

**DATES:** Written comments should be received on or before

[INSERT DATE 60 DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL REGISTER], to be assured of consideration.

**ADDRESS:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** NAFTA Regulations and Certificate of Origin

**OMB Number:** 1651-0098

**Form Number:** CBP Forms 434, 446, and 447

**Abstract:** On December 17, 1992, the U.S., Mexico and Canada entered into an agreement, "The North American Free Trade Agreement" (NAFTA). The provisions of NAFTA were adopted by the U.S. with the enactment of the North American Free Trade Agreement Implementation Act of 1993 (PL. 103-182).

CBP Form 434, *North American Free Trade Certificate of Origin*, is used to certify that a good being exported either from the United States into Canada or Mexico or from

Canada or Mexico into the United States qualifies as an originating good for purposes of preferential tariff treatment under the NAFTA. This form is completed by exporters and/or producers and furnished to CBP upon request. CBP Form 434 is provided for by 19 CFR 181.11 and is accessible at: [http://forms.cbp.gov/pdf/CBP\\_Form\\_434.pdf](http://forms.cbp.gov/pdf/CBP_Form_434.pdf).

The CBP Form 446, *NAFTA Verification of Origin Questionnaire*, is a questionnaire that CBP personnel use to gather sufficient information from exporters and/or producers to determine whether goods imported into the United States qualify as originating goods for the purposes of preferential tariff treatment under NAFTA. CBP Form 446 is provided for by 19 CFR 181.72 and is accessible at: [http://forms.cbp.gov/pdf/CBP\\_Form\\_446.pdf](http://forms.cbp.gov/pdf/CBP_Form_446.pdf)

CBP is also seeking approval of Form 447, *North American Free Trade Agreement Motor Vehicle Averaging Election*, in order to gather information required by 19 CFR 181 Appendix, Section 11, (2) "Information Required When Producer Chooses to Average for Motor Vehicles". This form is provided to CBP when a manufacturer chooses to average motor vehicles for the purpose of obtaining NAFTA preference.

**Current Actions:** This submission is being made to extend the expiration date for CBP Forms 434 and 446, and to add Form 447.

**Type of Review:** Revision

**Affected Public:** Businesses

**Form 434, NAFTA Certificate of Origin:**

**Estimated Number of Respondents:** 40,000

**Estimated Number of Responses per Respondent:** 3

**Estimated Time per Response:** 15 minutes

**Estimated Total Annual Burden Hours:** 30,000

**Form 446, NAFTA Questionnaire:**

**Estimated Number of Respondents: 400**

**Estimated Number of Responses per Respondent: 1**

**Estimated Time per Response: 45 minutes**

**Estimated Total Annual Burden Hours: 300**

**Form 447, NAFTA Motor Vehicle Averaging Election:**

**Estimated Number of Respondents: 11**

**Estimated Number of Responses per Respondent: 1.28**

**Estimated Time per Response: 1 hour**

**Estimated Total Annual Burden Hours: 14**

Dated: December 6, 2011

Tracey Denning

Agency Clearance Officer

U.S. Customs and Border Protection

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